

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CORDELL CONSULTANTS, INC., MONEY  
PURCHASE PLAN, a Qualified Florida Retirement  
Plan Trust, and CORDELL FUNDING, LLLP

Plaintiffs,

- against -

EDWARD H. OKUN; SAM TRUSTEE SERVICES,  
LLC; IPOFA 5201 LENDER, LLC; INVESTMENT  
PROPERTIES OF AMERICA, LLC; CROSSROADS  
TRANSPORTATION & LOGISTICS, INC.; SIMONE  
CONDO I, LLC; and SIMONE CONDO II, LLC,

Defendants.  
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Civil Action No.  
07 CV 10541 (RMB)

**SUGGESTION OF BANKRUPTCY**

Defendants IPofA 5201 Lender, LLC, Investment Properties Of America, LLC, Simone Condo I, LLC, and Simone Condo II, LLC, as well as Columbus Works Virginia Trust and Parkway Virginia Trust for which defendant Sam Trustee Services, LLC is the Trustee, filed petitions for relief under Title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of New York, and have been assigned case numbers 07-13622-MG, 07-13621-MG, 07-13629-MG, 07-13630-MG, 07-13799-MG and 07-13798-MG respectively. Relief was ordered by the Bankruptcy Court in each case, which suggests that this action has been stayed with respect to such defendants by the operation of Title 11 U.S.C. § 362.

We note that this action was initially commenced in the Supreme Court for the State of New York, County of New York, by plaintiffs' filing of a motion for summary judgment in lieu of complaint, which motion was adjourned by the state court to December 20, 2007. The case was then removed to Federal court. As a result of the imposition of the automatic stay, no

response by the filing defendants to the pending motion for summary judgment is due, and no decision on such motion may be rendered against the filing defendants.

By Order dated December 12, 2007, this Court transferred this case to the Bankruptcy Court, before Bankruptcy Judge Martin Glenn; however, no bankruptcy court case number has been assigned as of this date.

Dated: New York, New York  
December 18, 2007

GOLENBOCK EISEMAN ASSOR BELL  
& PESKOE LLP

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Lender, LLC; Investment Properties Of  
America, LLC; Crossroads Transportation  
& Logistics, Inc.; Simone Condo I, LLC;  
and Simone Condo II, LLC*